IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 122 of 2005 (S/B)

1. Dr. Sukhpal Singh,
   S/o Sri Chidda Singh,
   Presently working as Medical Officer Incharge
   At Primary Health centre, Dadamandi,
   Pauri Garhwal (Uttaranchal).
2. Dr. Har Datt Kumar,
   S/o Sri Guljarilal,
   Presently working as Medical Office Incharge
   At Primary Health Centre, Jaiharikhal,
   District Pauri Garhwal (Uttaranchal). …….. Petitioners

Versus

1. State of Uttaranchal,
   Through Secretary, Medical Health and Family Welfare,
   Dehradun.
2. Director General,
   Medical Health and Family Welfare, Dehradun.
3. State of U.P. through Secretary,
   Medical Health and Family Welfare.
4. Director General,
   Medical Health and Family Planning,
   Lucknow, Uttar Pradesh.
5. Union of India,
   Through Secretary, Ministry of Personnel,
   Public Grievances and Pension, New Delhi.
6. State Reorganisation Committee,
   Govt. of India, Department of Personnel & Training,
   Ministry of Personnel,
   Public Grievances and Pension,
   New Delhi. ……. Respondents

Ms. Anjali Bhargava, Addl. Standing Counsel for the Union of India.
Mr. B.D. Kandpal, Standing Counsel for the State of Uttaranchal.

Coram: Hon'ble Cyriac Joseph, C.J.
Hon'ble J.C.S. Rawat, J.

JUDGMENT

CYRIAC JOSEPH, C.J. (Oral)

1. The prayer in the writ petition is for a direction to the respondents to relieve the petitioners from the present place of posting at Primary Health Centre, Dadamandi, Pauri Garhwal and Primary Health Centre, Jaiharikhal, Pauri Garhwal respectively and to direct

the respondents to give them posting in Government Hospitals, District Aligarh and District Hathras respectively. By an interim order dated 09.08.2005, the respondents were directed to relieve the petitioners from the service of the Government of Uttaranchal petitioners from the service of the Government of Uttaranchal forthwith with direction to report for duty before the authorities of the Government of Uttar Pradesh.

2. It is today submitted by the learned Addl. Standing Counsel for the Union of India that as per the Final Allocation List, the petitioners stand allocated to the State of Uttar Pradesh. It is stated by Mr. B.D. Kandpal, learned Standing counsel for the State of Uttaranchal that in compliance with the interim order dated 09.08.2005, the petitioners have been relieved from the service of the Government of Uttaranchal with a direction to report for duty before the authorities of the Government of Uttar Pradesh.

3. In view of the final allocation of the petitioners to the State of Uttar Pradesh, the petitioners are entitled to be relieved from the service of the Government of Uttaranchal for joining duty with the Government of Uttar Pradesh. Hence, the interim order passed on 09.08.2005 is made absolute and the writ petition stands disposed of accordingly.

(J.C.S. Rawat, J.) **(Cyriac Joseph, C.J.)**
05.10.2005 **05.10.2005**

G